

Australian Capital Territory

Corrections Management (Case Management) Policy 2022

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made under the

Corrections Management Act 2007, s14 (Corrections policies and operating procedures)

1 Name of instrument

This instrument is the *Corrections Management (Case Management) Policy 2022*.

2 Commencement

This instrument commences on the day after its notification day.

3 Policy

I make this policy to facilitate the effective and efficient management of correctional services.

Ray Johnson APM
Commissioner
ACT Corrective Services
06 September 2022

CASE MANAGEMENT

POLICY NO. CM1

ACT CORRECTIVE SERVICES



ACT
Government

Justice and Community Safety

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1 PURPOSE

ACT Corrective Services is committed to an efficient, effective, and integrated model of service delivery to offenders. This policy outlines an integrated and coordinated approach to case planning and case management of offenders along the sentence continuum – whilst identifying best practice principles.

This will ensure a more individualised approach to case management, which seeks to better recognise and respond to the differing pathways and needs of all offenders.

2 SCOPE

This policy applies to all correctional centres in the ACT, and all Community Corrections environments.

Where required, the Assistant Commissioner Offender Reintegration (ACOR), Assistant Commissioner Service Improvement and Community Operations (ACSICO), and General Manager AMC/Assistant Commissioner Custodial Operations (ACCO) will establish Operating Procedures under this policy, relevant to their respective business units.

3 DEFINITIONS

Case Manager (CM) An officer who provides case management support to offenders. There are separate Case Managers for sentenced offenders, people on remand, and offenders in the community.

Case Management A coordinated, individualised, goal- and outcome-focused approach, informed by screening and assessment, implementation, monitoring and review.

Case Management Plan (CMP) A document which guides ACTCS individual case management. The Case Management Plan may identify static and dynamic criminogenic risk factors and non-criminogenic needs, as well as specific strategies and interventions to address these factors and needs.

Integrated Offender Management Framework (IOM)

A cooperative and coordinated approach to the management of offenders that supports the goal of reduced reoffending whilst also ensuring that the safety, security, health, and welfare needs of offenders are addressed in an effective and trauma-aware manner.

Sentence Continuum

The end-to-end journey of an offender’s contact with ACT Corrective Services, commencing from custody or community corrections, presenting a rehabilitative opportunity until exit, or order end.

4 PRINCIPLES

- 4.1 ACTCS is committed to a holistic and uniform approach to case management, while remaining flexible to the specific needs of each offender.
- 4.2 ACTCS implements recognised best practice approaches to case management which are informed by evidence, data, and proper risk analysis. These include:
 - a. applying a ‘one offender – one case plan’ approach to case management, meaning that the Case Management Plan (CMP) is individualised to each offender and their needs.
 - b. approaching case management from a trauma-informed, culturally sensitive, and gender-responsive position, to ensure that all offenders can effectively engage with rehabilitation.
 - c. utilising a ‘strength-based approach’ which emphasises the importance of drawing on the offender’s self-determination and strengths in achieving change. It is a philosophy and a way of viewing offenders as resourceful, resilient in the face of adversity, and as experts in their own lives. It is client-led, with a focus on future outcomes and strengths that people bring to a problem or crisis.
 - d. developing a participatory approach to case management, where case managers actively include offenders in the process, and work alongside them to review their CMP and progress against identified goals.
- 4.3 ACTCS recognises that effective case management is crucial to offender rehabilitation, responsive to their needs, and must ensure that:
 - a. rehabilitative objectives and pro-social factors are identified through a collaborative process between the individual offender and the Case Manager, and appropriately documented

- b. offenders are supported to address offence related behaviour by increasing motivation to change, and facilitating access to appropriate services, interventions, and activities
 - c. an offender's transition through the sentence continuum triggers a review of their CMP, reflecting revised objectives and dynamic factors to be addressed.
- 4.4 The success of case management relies on cooperation, collaboration, and open communication between the various teams and business units responsible for managing offenders across the sentence continuum.
- 4.5 ACTCS staff must work collaboratively with detainees to support them in developing their individualised CMP, and regularly engage with them during the case management process. This will ensure that case management is done *with* detainees and not *to* detainees.

5 THE MODEL OF CASE MANAGEMENT

- 5.1 ACTCS works in line with the Risk-Need-Responsivity (R-N-R) model of case management:
 - a. the **Risk** principle identifies who should be treated. Offenders should be matched to treatments based on their level of risk for recidivism, with higher-risk Offenders receiving more intensive treatment.
 - b. the **Need** principle describes what should be treated. Treatments should target specific criminogenic dynamic risk factors (e.g., antisocial attitudes, criminal peers, antisocial behavioural patterns, substance abuse, poor use of free time, along with family/marital and educational/vocational problems).
 - c. the **Responsivity** principle outlines how an offender should be treated. Services and interventions should be cognitive-behavioural in nature, and tailored to the learning style, motivation, abilities, and strengths of the offender. If the factors impacting the offender's responsivity are not addressed, they may interfere with the offender's ability to learn and benefit from an intervention.
- 5.2 The principle of **Professional Discretion** supports ACTCS to properly interpret and apply the R-N-R model of case management. This principle allows for professional judgement to be used to make decisions, because risk assessment

tools cannot always account for all the relevant factors of an individual. Professional discretion may be required to decide if an offender needs further assessment, or to identify which criminogenic need should be prioritised for intervention (i.e. by considering which intervention would have the biggest impact on reducing the offender's risk of reoffending).

6 THE SENTENCE CONTINUUM

6.1 There are five (5) stages of the sentence continuum identified in the ACTCS Integrated Offender Management Framework (IOM):

- a. **Induction** – the orientation process at the commencement of the engagement period with ACTCS, where all offenders are provided with all relevant information about their rights, obligations and access to essential contacts and support. For detainees, this includes the identification of immediate welfare needs and other preliminary assessments.
- b. **Case Planning** – the process of working with offenders to develop an individualised CMP designed to achieve their rehabilitative and reintegrative goals.
- c. **Custodial Case Management** – the process of working with detainees to support, guide, and motivate them towards achieving their CMP goals and ensuring that they are accessing identified services and programs.
- d. **Pre-release** – this process identifies the reintegration needs of offenders and plans for them, and ensures clear handover arrangements for service providers are in place.
- e. **Community Case Management** – monitoring and providing supervision to offenders while they are living in the community. For detainees exiting custody, supporting reintegration into the community will be a key focus of case management.

6.2 Effective case management ensures a clear line of sight between each stage of the sentence continuum, and allows for seamless transition throughout the stages.

6.3 This policy focuses on activities captured within the **Case Planning, Custodial Case Management, Pre-release** and **Community Case Management** stages of

the sentence continuum. The **Induction** stage is captured in a separate Induction Policy.

7 CUSTODIAL CASE PLANNING

- 7.1 A Custodial Case Manager (CM) must be assigned to sentenced offenders taken into custody and must develop an individualised CMP in consultation with the offender, designed to achieve their rehabilitative and reintegrative goals.
- 7.2 The CMP must be developed within six (6) weeks of the offender's sentence commencement date.
- 7.3 The CM must refer to the Case Management Plans Operating Procedure 2022 and the Custodial Case Management Case Planning Operating Procedure 2022 when drafting a CMP.
- 7.4 Section 78 of the Corrections Management Act 2007 requires that a Custodial CMP:
- a. outlines work and other activities the detainee may undertake
 - b. includes an assessment of the needs, capacity, and welfare of the detainee
 - c. outlines how the detainee will be prepared for lawful release and reintegration into the community at the earliest possible release date.
- 7.5 All needs identified within the offender's Custodial CMP must be addressed, including:
- a. the identification of the appropriate interventions, supports, activities etc
 - b. a timeframe for completion, and recording the date of completion
 - c. any other relevant comments or information relating to the case plan.
- 7.6 The CM must complete a Level of Service Inventory – Revised Assessment (LSI-R) (or utilise an existing LSI-R if one has been completed in the last 12 months) to identify the offender's criminogenic risk factors, and determine eligibility for targeted intervention programs.
- 7.7 The CM must ensure that interventions, treatments, and supports identified within the CMP are reflective of the offender's level of risk and considers responsivity factors, as identified by the LSI-R assessment and any other specialised assessment including, but not limited to:
- a. assessments of detainee's disability and need for reasonable adjustments

- b. assessment of intellectual capacity
- c. alcohol and other drug (AOD) screening
- d. assessment of sexual offending history
- e. any other relevant assessment

7.8 Custodial CMs must consider the specific needs of each offender, particularly any cultural, social, religious, gender or health/disability-based needs. Custodial CMs may seek advice and input from internal experts, including the Aboriginal and Torres Strait Islander Services Unit and the Disability Liaison Officers.

8 CUSTODIAL CASE MANAGEMENT

- 8.1 The offender's CM must ensure that supports, programs, and services identified within the CMP are made available to the offender, and where not available, alternative options are considered.
- 8.2 The supports, programs, and services that an offender accesses while in custody should relate to the goals identified within their CMP.
- 8.3 Where an offender is not engaging with an identified support, program, or service, the respective Director/Team Leader must notify the CM.
- 8.4 The Custodial CM must make regular contact with offenders to review their progress towards their CMP goals, and to identify barriers that need to be addressed.
- 8.5 Regular contact with offenders must be recorded as a case note on the offender's electronic file, in accordance with the *Case Note Policy*.
- 8.6 As much as possible, Custodial CMs should seek to optimise all opportunities for positive and encouraging interactions with offenders, by drawing on strategies like the Five-Minute Intervention (FMI) programme and Motivational Interviewing.
- 8.7 Offenders must be provided with opportunities to proactively engage with their CM, and to ensure that they have input into the case management process.

9 CASE MANAGEMENT FOR REMANDEES

- 9.1 Each remandee must be allocated a CM, who must meet with the remandee to identify and address basic welfare and reintegration needs. More information can be found in *Pathways for Support of Remandees* and the *Custodial Case Management Remand Operating Procedure 2022*.

- 9.2 The CM must engage with their assigned remandee within five (5) business days of their reception into the AMC.
- 9.3 Remandees must be provided with the opportunity to participate in work and other programs while in custody. Their assigned CM must prioritise referrals to work and/or programs that best reflect the identified reintegrative and rehabilitative needs of the remandee.
- 9.4 Remandees who have spent four (4) weeks in custody may have a Remand CMP developed. The CM must develop the plan alongside the remandee and address their individual needs.
- 9.5 Remand CMPs do not require the review or approval of the Case Management Unit (CMU) Team Leader, as they are not required under the Corrections Management Act.
- 9.6 A copy of the completed Remand CMP must be provided to the remandee's Accommodation Area Supervisor (CO2).

10 ADDRESSING THE NEEDS OF REMANDEES

- 10.1 The CM must ensure the timely assessment and response to the psycho-social needs of the remandee.
- 10.2 The psycho-social needs of a remandee may include but are not limited to:
- a. mental health issues
 - b. self-harming behaviours and/or thoughts
 - c. suicidal thoughts and/or behaviours
 - d. cultural responsivity issues/needs
 - e. religious support/connection
 - f. family connection
 - g. intellectual and physical disabilities.
- 10.3 The CM must contact the relevant supports/service as soon as possible where:
- a. the remandee reports the need for assistance with their psycho-social needs or
 - b. the CM assesses that the referral is required.
- 10.4 Referrals to supports/services must be made with the expressed consent of the remandee, except in situations where the remandee may be considered 'At Risk', in accordance with the Management of Detainees at Risk of Suicide or Self-harm Policy.

11 CUSTODIAL CASE MANAGEMENT PLAN REVIEWS

- 11.1 CMPs must be reviewed on a regular basis to ensure that the offenders will be successful in achieving their rehabilitative and reintegrative goals.
- 11.2 Event-based case management plan reviews may occur for several reasons, including but not limited to the following:
 - a. the offender states that they wish to change their goals
 - b. the offender's personal or health circumstances have changed, and their supports need to be reviewed
 - c. the CMP does not meet the current needs of the offender and/or does not include relevant interventions to address identified needs
 - d. the offender has been charged and sentenced with a more serious offence
 - e. the offender's risk rating has changed due to recent behaviour, positive drug or alcohol tests, disciplinary breaches etc.
- 11.3 CMs must involve offenders in the review of their CMP, to ensure that it adequately addresses their needs and goals.
- 11.4 CMs must refer to the *Custodial Case Management Supervision and Case Plan Review Operating Procedure 2022*.

12 THE PRE-RELEASE STAGE

- 12.1 The objective of this stage is to identify and plan for the reintegration needs of the offender, and to ensure that there are clear handover arrangements for the relevant community service providers.
- 12.2 Pre-release activities must commence no later than 6 months prior to the offenders earliest possible release date.
- 12.3 For offenders subject to a non-parole-period, the Sentence Administration Board (SAB) Secretariat may request that an offender's pre-release report be prepared for submission to the SAB. Once this request is received, a Community Corrections Officer must be allocated to develop the pre-release report with the offender.
- 12.4 The Community Corrections Officer is responsible for gathering and reviewing all information to be included in the pre-release plan and should consult with a range of internal and external stakeholders, and where relevant, any legally

appointed decision-makers such as a guardian, to gather all required information.

- 12.5 Community Corrections Officers should refer to the *Pre-release Report Community Instruction* when drafting the report.
- 12.6 For offenders who are subject to post-custody supervision, the Custodial and Community CMs share responsibility for identifying and referring the detainee to the relevant external organisations and services that can assist them upon release such as Justice Housing, Centrelink, Reintegration etc.
- 12.7 For offenders applying for parole, their CM must proactively communicate with the allocated Community Corrections Officer prior to the earliest possible release date to coordinate pre-release case plans and reports. The CM must support detainees to prepare their application for parole (where required).

13 COMMUNITY CASE PLANNING

- 13.1 The purpose of a Community CMP is to identify and address an offender's criminogenic needs, with a focus on supporting positive behavioural change and promoting rehabilitation.
- 13.2 Each offender is assigned a Community Corrections CM who must develop their Community CMP alongside them. The Community CMP must be individualised to the needs of each offender, addressing their criminogenic risks and needs, psychosocial characteristics and their specific order conditions.
- 13.3 The Community CMP must be developed within eight (8) weeks of a CM being assigned to an offender.
- 13.4 The Community CMP must identify appropriate interventions to address any identified risk factor for the offender.
- 13.5 Community Case Managers should refer to the *Case Management Plan Community Instruction* when drafting the Community CMP.

14 COMMUNITY CASE MANAGEMENT

- 14.1 Community CMs must regularly interact with their assigned offender and offer them opportunities to provide input into and review their Community CMP.
- 14.2 The Community CM is responsible for identifying and referring the offender to the relevant external organisations and services that can assist them with

meeting the agreed objectives of their CMP, such as Justice Housing, Centrelink, Reintegration etc.

- 14.3 Where an offender is not engaging with interventions identified within their Community CMP, the Community CM must manage the non-compliance in accordance with the relevant *Managing Non-compliance Community Instruction*. Where required, the Community CM may refer the matter to the SAB or the Sentencing Court in accordance with the *Breach Policy*.

15 COMMUNITY CASE MANAGEMENT PLAN REVIEWS

- 15.1 Community CMPs must be reviewed regularly to ensure that:
- a. agreed obligations and interventions outlined in the Community CMP are still relevant
 - b. agreed obligations and interventions are being met
 - c. updates are made to the status of any tasks associated with the Community CMP and
 - d. there is overall compliance with the Community CMP.
- 15.2 Community CMs must update an offender's Community CMP when updates occur, or when there are significant changes in the offender's circumstances.
- 15.3 A Community Corrections Team Leader must approve any changes to the Community CMP.

16 CONTINUAL PROFESSIONAL DEVELOPMENT FOR CASE MANAGEMENT

- 16.1 CMs must hold regular whole-of-team and inter-team reviews to ensure consistency and uniformity in their case management approach.
- 16.2 CMs should use these opportunities to identify areas of strength in the case management process, as well as identify barriers to effective case management.
- 16.3 Team Leaders must provide advice and assistance to CMs in addressing specific concerns, and to ensure overall performance meets the standards required.
- 16.4 Where possible, the relevant team leaders and directors should encourage cross-business unit meetings (i.e., between CMs from Community Corrections, Custodial Operations and Offender Reintegration) to identify and build on synergies in their approach to case management.

17 RELATED DOCUMENTS

- ACTCS Integrated Offender Management (IOM) Framework 2021
- Case Management Plans Operating Procedure 2022
- Custodial Case Management Remand Operating Procedure 2022
- Custodial Case Management Reintegration Operating Procedure 2022
- Custodial Case Planning Operating Procedure 2022
- Planning for Parole Operating Procedure 2022
- Custodial Case Management Supervision and Case Plan Review Operating Procedure 2022
- Custodial Case Management Programs and Interventions Operating Procedure 2022
- Case Management Plan Community Instruction
- Pre-release Planning Community Instruction
- Management of Detainees at Risk of Suicide or Self-harm policy 2022

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